

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

SEAGEN, INC.,

Plaintiff

V.

DAIICHI SANKYO CO., LTD.,

Defendant,

ASTRAZENECA PHARMACEUTICALS

LP and

ASTRAZENECA UK LTD,

Intervenor-Defendants.

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CIVIL ACTION NO. 2:20-CV-00337-JRG

**MINUTES FOR JURY TRIAL DAY NO. 4
HELD BEFORE U. S. DISTRICT JUDGE RODNEY GILSTRAP
April 7, 2022**

OPEN: 08:26 AM

ADJOURN: 06:36 PM

ATTORNEYS FOR PLAINTIFF:

See attached

ATTORNEYS FOR DEFENDANT:

See attached

ATTORNEYS FOR INTERVENORS:

See attached.

LAW CLERK:

Jim Lomeo
Katie Albanese
Patrick Clark

COURT REPORTER:

Shawn McRoberts, RMR, CRR

COURTROOM DEPUTY:

Andrea Brunson, CP

TIME	MINUTES
08:26 AM	Court opened.
08:27 AM	Individual juror excused by Court due to personal reasons.
08:28 AM	Exhibits used prior day read into the record.
08:33 AM	Proffer made by Ms. Ainsworth on behalf of Defendants.
08:38 AM	Response provided by Mr. Hill on behalf of Plaintiff.
08:39 AM	Jury entered the courtroom.
08:41 AM	Redirect examination of Dr. John Lambert by Mr. Ratliff, continued.

TIME	MINUTES
08:54 AM	Recross examination of Dr. John Lambert by Mr. Chivvis.
09:07 AM	Witness excused.
09:07 AM	Ms. Ainsworth introduced the video deposition of Dr. Patrick J. Burke.
09:08 AM	Courtroom sealed.
09:23 AM	Video deposition of Dr. Patrick J. Burke concluded.
09:24 AM	Courtroom unsealed.
09:24 AM	Witness sworn. Direct examination of Dr. Naomi Ko by Ms. Berniker.
09:47 AM	Cross examination of Dr. Naomi Ko by Mr. Hill.
09:52 AM	Witness excused.
09:52 AM	Jury recessed for break.
09:53 AM	Recess.
10:09 AM	Court reconvened.
10:11 AM	Jury returned to courtroom.
10:12 AM	Ms. Ainsworth introduced the video deposition of Dr. Brian Toki.
10:22 AM	Video deposition of Dr. Brian Toki concluded.
10:23 AM	Ms. Ainsworth introduced the video deposition of Dr. Svetlana Doronina.
10:41 AM	Video deposition of Dr. Svetlana Doronina concluded.
10:41 AM	Ms. Ainsworth introduced the video deposition of Dr. Toni Kline.
10:57 AM	Video deposition of Dr. Toni Kline concluded.
10:57 AM	Defendants rested their case-in-chief as to the liability portion of trial.
10:57 AM	Direct examination of Plaintiff's rebuttal witness, Dr. Carolyn Bertozzi by Mr. Chivvis.
11:32 AM	Courtroom sealed.
11:33 AM	Direct examination of Plaintiff's rebuttal witness, Dr. Carolyn Bertozzi by Mr. Chivvis, continued.
11:41 AM	Bench conference
11:42 AM	Bench conference concluded.
11:43 AM	Direct examination of Plaintiff's rebuttal witness, Dr. Carolyn Bertozzi by Mr. Chivvis, continued.
11:45 AM	Cross examination of Plaintiff's rebuttal witness, Dr. Carolyn Bertozzi by Mr. Ratliff.
11:46 AM	Courtroom unsealed.
11:47 AM	Cross examination of Plaintiff's rebuttal witness, Dr. Carolyn Bertozzi by Mr. Ratliff, continued.
12:12 PM	Redirect examination of Plaintiff's rebuttal witness, Dr. Carolyn Bertozzi by Mr. Chivvis.
12:15 PM	Recross examination of Plaintiff's rebuttal witness, Dr. Carolyn Bertozzi by Mr. Ratliff.
12:19 PM	Witness excused.
12:20 PM	Plaintiff rested its rebuttal case re: liability portion of the trial.
12:20 PM	Court instructed the Jury that the damages portion of the trial will proceed following lunch break.
12:21 PM	Jury recessed for lunch break.
12:22 PM	Recess.
01:21 PM	Court reconvened.

TIME	MINUTES
01:22 PM	Plaintiff to proceed with damages portion of the trial.
01:22 PM	Jury returned to courtroom.
01:22 PM	Court gave instruction to Jury re: damages portion of the trial.
01:23 PM	Witness sworn. Direct examination of Ms. Carrie Distler by Mr. Wilson.
01:25 PM	Bench conference.
01:26 PM	Bench conference concluded.
01:27 PM	Direct examination of Ms. Carrie Distler by Mr. Wilson, continued.
01:45 PM	Bench conference.
01:45 PM	Bench conference concluded.
01:46 PM	Courtroom sealed.
01:46 PM	Direct examination of Ms. Carrie Distler by Mr. Wilson, continued.
02:22 PM	Courtroom unsealed.
02:22 PM	Bench conference.
02:24 PM	Bench conference concluded.
02:24 PM	Cross examination of Ms. Carrie Distler by Mr. Dacus.
02:47 PM	Courtroom sealed.
02:47 PM	Cross examination of Ms. Carrie Distler by Mr. Dacus, continued.
03:34 PM	Bench conference.
03:34 PM	Bench conference concluded.
03:35 PM	Redirect examination of Ms. Carrie Distler by Mr. Wilson.
03:39 PM	Witness excused.
03:40 PM	Courtroom unsealed.
03:40 PM	Plaintiff rested its damages case-in-chief.
03:41 PM	Defendants to proceed with damages portion of the trial.
03:41 PM	Ms. Ainsworth introduced the video deposition of Mr. Todd Simpson.
03:42 PM	Courtroom sealed.
03:53 PM	Bench conference
03:56 PM	Bench conference concluded.
03:57 PM	Continuation of video deposition of Mr. Todd Simpson.
04:04 PM	Video deposition of Mr. Todd Simpson concluded.
04:04 PM	Courtroom unsealed.
04:05 PM	Jury recessed for break.
04:05 PM	Recess.
04:21 PM	Court reconvened.
04:21 PM	Jury returned to courtroom.
04:21 PM	Witness sworn.
04:22 PM	Court instructed the Jury that due to unforeseeable circumstances, Dr. Meyer to testify remotely rather than in person.
04:22 PM	Direct examination of Dr. Christine Meyer by Mr. Dacus.
04:27 PM	Courtroom sealed.
04:28 PM	Direct examination of Dr. Christine Meyer by Mr. Dacus, continued.
05:08 PM	Cross examination of Dr. Christine Meyer by Mr. Wilson.
05:37 PM	Redirect examination of Dr. Christine Meyer by Mr. Dacus.
05:40 PM	Completion of testimony of Dr. Christine Meyer.
05:40 PM	Defendants rested its damages case-in-chief.

TIME	MINUTES
05:40 PM	Both sides rested
05:40 PM	Courtroom unsealed.
05:41 PM	Court provided instructions to Jury.
05:44 PM	Jury excused for the remainder of the day to return tomorrow at 9:00 AM.
05:44 PM	Court will take up Rule 50(a) motions following recess.
05:50 PM	Recess.
06:00 PM	Court reconvened.
06:01 PM	Court to take up Rule 50(a) motions.
06:01 PM	Court provided instruction to the parties re: hearing of Rule 50(a) motions.
06:07 PM	Court began hearing argument on Rule 50(a) motions.
06:34 PM	Argument presented.
06:35 PM	Court made rulings on Rule 50(a) motions as set forth in the record.
06:36 PM	Completion of Rule 50(a) motions hearing.
06:36 PM	Informal charge conference begins (off the record).
06:36 PM	Formal charge conference will be held tomorrow morning (on the record) at 8:00 AM
06:36 PM	Court adjourned.